

COHEN, FRANKEL & RUGGIERO, LLP

ATTORNEYS AT LAW
20 VESEY STREET, SUITE 1200
NEW YORK, NEW YORK 10007
(212) 732-0002 • FAX (212) 293-7224

MARK I. COHEN
PETER M. FRANKEL
LOUIS J. RUGGIERO
MINA KENNEDY
GILLIAN M. FEEHAN*

*ADMITTED IN NJ AND PENDING ADMISSION IN NY

35-07 90TH STREET
JACKSON HEIGHTS, NEW YORK 11372
(718) 898-4900 • FAX (718) 898-0093
PLEASE DO NOT REPLY TO THIS OFFICE

April 5, 2021

VIA ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

**Re: *United States v. Ricardo Reynoso*
19 Cr. 735 (KPF)**

Dear Judge Failla:

Please recall that I represented Mr. Ricardo Reynoso in the above-referenced matter. On December 11, 2020, Your Honor sentenced Mr. Reynoso to a term of incarceration of 6 months and ordered that he surrender himself prior to 2:00 p.m. on April 9, 2021, to an institution designated by the Bureau of Prisons (“B.O.P.”). Mr. Reynoso has requested that I write to respectfully request that Your Honor delay Mr. Reynoso’s surrender date by 60 days due to the continuing threat posed by the COVID-19 pandemic.

Mr. Reynoso has recently communicated to us that he has been designated to FMC Devens in Ayer, Massachusetts, and is concerned about surrendering himself to the facility, in which the outbreak of the COVID-19 virus has been particularly severe. We consulted the B.O.P. website, which indicates that since the start of the pandemic, 380 inmates and 63 staff members at FMC Devens have been diagnosed with and recovered from COVID-19, and 10 inmates have died.¹ In addition to the risk of exposure to COVID-19, Mr. Reynoso has also expressed his concern that, like all inmates during these difficult times, he will not be able to see his family and friends in person or through video conference during his period of incarceration, as FMC Devens remains on lockdown and does not offer inmates the opportunity to have virtual, video visits with others.

¹ Bureau of Prisons, COVID-19 Coronavirus (last updated April 5, 2021), <https://www.bop.gov/coronavirus/>.

The Honorable Katherine Polk Failla

April 5, 2021

Page 2 of 2

For the reasons stated herein, we respectfully request that Your Honor delay Mr. Reynoso's surrender date by 60 days. Upon information and belief, Mr. Reynoso has remained in complete compliance with his conditions of release, is working every day, and is working on paying down his debts as much as possible prior to his surrender date.

Respectfully submitted,



Mark I. Cohen

MIC/gmf

Cc: A.U.S.A. Ryan B. Finkel (via ECF)

Mr. Ricardo Reynoso (via email)

Application GRANTED. Mr. Reynoso shall surrender to the designated facility on or before **June 8, 2021**.

Dated: April 6, 2021
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE